## M. ROBERT KESTENBAUM, LLC PATENT AND TRADEMARK MATTERS

## FACSIMILE TRANSMITTAL SHEET TO M. Robert Kestenbaum Examiner Steven R. Garland DATE COMPANY: MAY 8, 2003 Commissioner for Patents TOTAL NO. OF PAGES INCLUDING COVER: FAX NUMBER: (703) 746-7238 SENDER'S REPERENCE NUMBER: PHONE NUMBER: (K) 53 885 (703) 305-9759 YOUR REFERENCE NUMBER 09/423,179 Amendment After Final Action

NOTES/COMMENTS:

Dear Examiner Garland:

I am faxing you an Amendment After Final Action in response to the Office Action of November 8, 2002, (19 pages) including a Substitute Specification, a request for a three month extension of time, and a Notice of Appeal for this case. PTO Form 2038 is included authorizing charging a credit card for the Small Entity extension fee (\$465), plus the Notice of Appeal Fee (\$160). An additional page authorizing charging the deposit account if any additional fees are due is also included.

After you have had an opportunity to review this case, I will call you to discuss this Amendment After Final Action and Notice of Appeal.

Thank you in advance for considering this submission.

Sincerely.

M. Robert Kestenbaum

Rcg. No. 20,430



Response Under 37 CFR 1.116 Expedited Procedure Examining Group 2121

A three-month extension of time in which to response to the outstanding Office Action is hereby requested. A Notice of Appeal is also being submitted herewith. PTO-2038 is included herewith, authorizing credit card payment for the amount of \$465 for the prescribed Small Entity three-month extension fee, as well as the \$160 Notice of Appeal Fee (totaling \$625). Any other fee due by virtue of this filing or this application should be charged to Deposit Account 11-0665. Any refunds in connection with this filing should be credited to Deposit Account 11-0665. A duplicate of this page is enclosed for this purpose.

Respectfully submitted,

M. Robert Kestenbaum

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I hereby certify this correspondence is being submitted to Mail Stop AF, Commissioner for Patents, PO Box 1450, Alexandria, Va. 22313-1450 by facsimile transmission on May 8, 2003, Fax Number (703) 308-7238.

M. Robert Kestenbaum

Applicant: Zweigle US Patent Application No. 09/423,179 Attorney Docket No. (K) 53 885